

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SAFETY INSURANCE COMPANY)	
)	CIVIL ACTION NO. 05-10181-RWZ
Plaintiff)	
)	
v.)	
)	
UNITED STATES OF AMERICA)	
)	
Defendant)	
)	

JOINT RULE 16.1 STATEMENT AND CERTIFICATE

The parties in this action submit the following Joint Statement pursuant to Local Rule 16.1 and the Court's Notice of Scheduling Conference.

1. Proposed Discovery Plan:

- a. Automatic disclosure statements and discovery shall be served on or before May 30, 2005;
- b. All interrogatories and request for production of documents shall be served by July 30, 2005;
- c. Any amendments pursuant to Fed. R. Civ. P. 15 shall be made by November 30, 2005;
- d. All depositions shall be completed by October 30, 2005;
- e. A final pretrial conference shall be scheduled after disposition of all dispositive motions.

2. Consent To Trial By Magistrate:

- a. The parties consent to a trial by magistrate judge.

3. **Depositions:**

- a. The plaintiff intends to depose: Stephen M. D'Amour; AFOSI Detachment 102, 6 Chennault Street, Building 171, Hanscom AFB, MA 01731.
- b. Defendant intends to depose: William T. Fuller, 1470 Eastern Avenue, Malden, MA 02148 and Erik Smith, 34 West Selden, Mattapan, MA 02126-2406.

4. **Proposed Schedule for Motions:**

All dispositive motions are to be filed by November 30, 2005.

5. **Designation of Experts:**

- a. Expert witnesses shall be identified by the parties by July 30, 2005.
- b. If necessary, expert interrogatories shall be served within one month following the opposing party's disclosure of expert witnesses.

6. **Final PreTrial Conference:**

- a. The Final Pretrial Conference will be scheduled by the Court following any and all hearings on dispositive motions.

7. **Plaintiff's Settlement Proposal:**

- a. The plaintiff will present a written settlement proposal on or before May 7, 2005.

8. **Certification Regarding Costs and Alternative Dispute Resolution:**

- a. Each of the parties and their respective counsel certify they have conferred regarding the costs of conducting the full course-and various alternative courses-of litigation; and

- b. Discussed the possibility of resolving the case through alternative dispute resolution programs such as those outlined in Local Rule 16.4.

Respectfully submitted,

United States of America

By Its Attorney

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